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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Surampudi et al.
Serial No. : 09/881,309
Filed : June 13, 2001
Title : ORGANIC FUEL CELL METHODS AND APPARATUS

Art Unit : 1745
Examiner : Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CALIFORNIA INSTITUTE OF TECHNOLOGY, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 6921, Frame 0845 on January 10, 1994. California Institute of Technology also certifies that it is the assignee of U.S. Patent No. A copy of the assignment is attached for your reference.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in California Institute of Technology.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 5,599,638, whereby the patent granted on this application and U.S. Patent No. 5,599,638 will expire on the same day, provided that any patent granted on the above identified

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

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August 29, 2003

TAMMERA A. SHINN

TAMMERA A. SHINN

Applicant : Surampudi et al.
Serial No. : 09/881,309
Filed : June 13, 2001
Page : 2 of 2

Attorney's Docket No.: 06816-005004 / CIT 2209-D2

application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 5,599,638.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,599,638 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 5,599,638.


This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06816-005004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 8/27/04


Dorothy P. Whelan
Reg. No. 33,814

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Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
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08/15/01 MED 10.10 FAX 0122000000
DATE: 04/19/94
TO:

DANIEL C. MALLERY
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
12400 WILSHIRE BLVD.
SEVENTH FLOOR
LOS ANGELES, CA 90025



12487 1005
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ASSIGNOR:
NARAYANAN, SEKHARIPURAM R.

DOC DATE: 12/17/93

ASSIGNOR:
VAMOS, EUGENE

DOC DATE: 12/27/93

ASSIGNOR:
SURAMPUDI, SUBBARAO

DOC DATE: 12/27/93

ASSIGNOR:
HALPERT, GERALD

DOC DATE: 12/17/93

ASSIGNOR:
FRANK, HARVEY

DOC DATE: 12/17/93

RECORDATION DATE: 01/10/94 NUMBER OF PAGES 006 REEL/FRAME 6921/0845

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
CALIFORNIA INSTITUTE OF TECHNOLOGY
1201 EAST CALIFORNIA BOULEVARD
PASADENA, CA 91125

6921/0845 PAGE 0002

SERIAL NUMBER 8-135007 FILING DATE 10/12/93
PATENT NUMBER ISSUE DATE 00/00/00

P. Foster

EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

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PATENT & TRADEMARK OFFICE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Sekharipuram R. Narayanan, Eugene Vamos, Subbarao
Surampudi, Gerald Halpert and Harvey FrankAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ OtherExecution Date: December 17, 1993, December 27, 1993, December 27, 1993, December 17, 1993 and December 17, 1993, respectively.

2. Name and address of receiving party(ies):

Name: California Institute of Technology

Internal Address: _____

Street Address: 1201 East California BoulevardCity: Pasadena, State: California ZIP: 91125

Additional name(s) & address(es) attached?

☐ YesNo ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application the execution date of the application is: N/A

A. Patent Application No.(s)

08/135,007

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: _____

Internal Address: BLAKELY, SOKOLOFF, TAYLOR & ZAFMANStreet Address: 12400 Wilshire BoulevardSeventh FloorCity: Los Angeles State: CA ZIP: 900256. Total number of applications and patents involved: one7. Total fee (37 CFR 3.41) \$40.00☒ Enclosed☒ Authorized to charged to deposit account

8. Deposit account number:

02-2666

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel C. Mallery Reg. No. 33,532

Name of Person Signing, Reg. No.

12467/42390.P014

Signature

Date

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United States Postal Service as Express Mail No.RB984588297715 addressed to: Commissioner of Patents and
Trademarks, Washington, DC 20531,on January 10, 1994.January 10, 1994Margaret M. Hasson MS 01/31/94 MALLERY D

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ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We, the undersigned, Sekharipuram R. Narayanan, Eugene Vamos, Subbarao Surampudi, Gerald Halpert and Harvey Frank

Hereby sell, assign, and transfer to: California Institute of Technology a corporation of California, having a principal place of business at: 1201 East California Boulevard, Pasadena, California 91125 ("Assignee") its successors, assigns and legal representatives, our entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent,

☐ which has been executed by the undersigned concurrently herewith,

☒ which was filed October 11, 1993 and assigned Serial No. 08/135,007

and is entitled: ORGANIC FUEL CELL METHODS AND APPARATUS

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

REEL 6921 FRAME 846

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of CALIFORNIA

County of LOS ANGELES

On Dec. 27, 1993 before me, Elizabeth A. Snider
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Sekharipuram R. Narayanan & Eugene Vamos
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT Assignment - Case C-19046 et al
NUMBER OF PAGES 2 DATE OF DOCUMENT Dec. 27, 1993
SIGNER(S) OTHER THAN NAMED ABOVE S. Surampudi, H.A. Frank & G. Halpert

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

Covenant with said assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN WITNESS WHEREOF I have set my hand this 17th day of Dec, 1993.

S. dv

Subbarao Surampudi

STATE OF CALIFORNIA

)
) ss:
)

COUNTY OF LOS ANGELES

On this 17th day of Dec, 1993, before me, a Notary Public, personally appeared Subbarao Surampudi, who I am satisfied is the person named in and who executed the foregoing instrument in my presence and did acknowledge the same to be a voluntary act and deed for the uses and purposes therein expressed.



Elizabeth A. Snider
Notary Public

IN WITNESS WHEREOF I have set my hand this 27th day of Dec, 1993.

Sekharipuram R. Narayanan
Sekaripuram R. Narayanan

STATE OF California

)
) ss:
)

COUNTY OF Los Angeles

On this 27th day of Dec, 1993, before me, a Notary Public, personally appeared Sekharipuram R. Narayanan, who I am satisfied is the person named in and who executed the foregoing instrument in my presence and did acknowledge the same to be a voluntary act and deed for the uses and purposes therein expressed.



Elizabeth A. Snider
Notary Public

IN WITNESS WHEREOF I have set my hand this 27th day of Dec, 1993.

Eugene Varnos
Eugene Varnos

STATE OF CALIFORNIA

)
) ss:
)

COUNTY OF LOS ANGELES

On this 27th day of Dec, 1993, before me, a Notary Public, personally appeared Eugene Varnos, who I am satisfied is the person named in and who executed the foregoing instrument in my presence and did acknowledge the same to be a voluntary act and deed for the uses and purposes therein expressed.



Elizabeth A. Snider
Notary Public

REEL 921 PAGE 848

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of CALIFORNIACounty of LOS ANGELESOn Dec. 17, 1993 before me, Elizabeth A. Snider
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared Subbarao Surampudi, Harvey A. Frank & Gerald Halpert
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity(ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT Assignment - Case C-19046 et al.NUMBER OF PAGES 2 DATE OF DOCUMENT December 17, 1993SIGNER(S) OTHER THAN NAMED ABOVE S.R. Narayanan & E. Vamos**OPTIONAL SECTION**
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL
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TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ ATTORNEY-IN-FACT ☐ GENERAL
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

IN WITNESS WHEREOF I have set my hand this 17th day of Dec, 1993.

Harvey A Frank

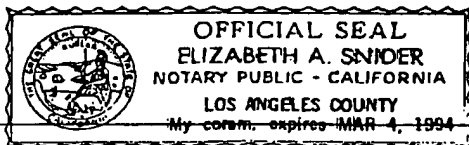
Harvey A. Frank

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

) ss:

On this 17th day of Dec, 1993, before me, a Notary Public, personally appeared Harvey A. Frank, who I am satisfied is the person named in and who executed the foregoing instrument in my presence and did acknowledge the same to be a voluntary act and deed for the uses and purposes therein expressed.



Elizabeth A. Snider
Notary Public

IN WITNESS WHEREOF I have set my hand this 17th day of Dec, 1993.

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

) ss:

On this 17th day of Dec, 1993, before me, a Notary Public, personally appeared Gerald Halpert, who I am satisfied is the person named in and who executed the foregoing instrument in my presence and did acknowledge the same to be a voluntary act and deed for the uses and purposes therein expressed.



Elizabeth A. Snider
Notary Public

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